

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

POLAROID CORPORATION,

Plaintiff and Counterclaim Defendant,

v.

HEWLETT-PACKARD COMPANY,

Defendant and Counterclaim Plaintiff.

C.A. No. 06-738-SLR

**REDACTED**

**DECLARATION OF WILLIAM J. MARSDEN, JR. IN SUPPORT OF  
DEFENDANT HEWLETT-PACKARD COMPANY'S OPPOSITION TO "POLAROID  
CORPORATION'S MOTION TO PREVENT HEWLETT-PACKARD COMPANY  
FROM USING PRIVILEGE AS BOTH A SWORD AND A SHIELD"**

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*Attorneys for Defendant and Counterclaim-Plaintiff  
Hewlett-Packard Company*

Dated: June 23, 2008

I, William J. Marsden, Jr., declare as follows:

1. I am an attorney with Fish & Richardson P.C., counsel for Hewlett-Packard Company. I am a member of the Bar of the State of Delaware and of this Court. I have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.

2. Attached hereto as Exhibit 1 is a true and correct copy of correspondence between counsel for Polaroid Corporation and counsel for Hewlett-Packard Company, dated January 8, 2008 through January 29, 2008.

3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of the Deposition of Charles Moore, dated November 9, 2007.

4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts of the Deposition of Jim Lyons, dated January 24, 2008.

5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts of the Deposition of Steven W. Greer, dated January 18, 2008.

6. Attached hereto as Exhibit 5 is a true and correct copy of Polaroid's Fourth Amended Log of Documents Withheld Under the Claim of Privilege.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 23<sup>rd</sup> of June, 2008, at Wilmington, Delaware.

/s/ William J. Marsden, Jr.  
William J. Marsden, Jr.

**CERTIFICATE OF SERVICE**

I hereby certify that on June 23, 2008, I electronically filed with the Clerk of Court the foregoing document using CM/ECF which will send electronic notification of such filing(s) to the following counsel:

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/s/ William J. Marsden, Jr.

William J. Marsden, Jr.

# Exhibit 1

**REDACTED**  
**IN ITS ENTIRETY**

# Exhibit 2

**REDACTED**  
**IN ITS ENTIRETY**

# Exhibit 3



**REDACTED**  
**IN ITS ENTIRETY**

# Exhibit 4

**REDACTED**  
**IN ITS ENTIRETY**

# Exhibit 5

**REDACTED**  
**IN ITS ENTIRETY**